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July 10, 2023

VIA ELECTRONIC FILING

Hon. Hector Gonzalez
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

**Re: *Pund et al. v. St. Francis College et al.*
Case No. 1:23-cv-01498-HG**

Dear Judge Gonzalez:

This firm represents defendants St. Francis College (“SFC” or the “College”) and Irma Garcia (collectively, “Defendants”) in the above-referenced action. We write in response to Plaintiffs’ Amended Complaint filed July 7, 2023 and in accordance with the Court’s June 9, 2023 order. We have reviewed the Amended Complaint. Plaintiffs have failed to adequately address the deficiencies outlined in Defendants’ May 15, 2023 letter. Specifically, Plaintiffs entirely failed to address the statute of limitations issues raised in Defendants’ May 15, 2023 letter. In addition, Plaintiffs have failed to provide additional factual allegations to support their causes of action. Defendants will file their opening papers on or before August 2, 2023 in accordance with the Court’s June 29, 2023 order.

Defendants further note that Plaintiffs have added an additional defendant, John Thurston. Plaintiffs have not yet issued a summons to Mr. Thurston and he has not yet appeared in this action. Defendants require additional time to examine the claims brought against Mr. Thurston individually to determine whether this firm will also represent Mr. Thurston. Should this firm ultimately be retained to represent Mr. Thurston, we request leave to include Mr. Thurston in Defendants’ motion to dismiss.

Thank you for your courtesies in this matter.

Respectfully,
Ryan Soebke
Ryan Soebke (RS3268)



cc (via ECF):

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